



January 25, 2006

SENATE BILL No. 100

DIGEST OF SB 100 (Updated January 24, 2006 12:13 pm - DI 71)

Citations Affected: IC 4-32.

Synopsis: Charity gaming. Changes the definition of "bona fide political organization" as the term is used in the charity gaming law to specifically include, rather than exclude, a candidate's committee. Authorizes the commissioner of the department of state revenue to issue annual raffle licenses. Provides that an annual raffle license authorizes not more than five raffle events in a calendar year. Allows a qualified organization that is a bona fide political organization to conduct an allowable event in any county.

Effective: July 1, 2006.

Jackman, Hershman

January 9, 2006, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.
January 24, 2006, amended, reported favorably — Do Pass.

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SB 100—LS 6351/DI 92+



January 25, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

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SENATE BILL No. 100

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-32-6-7 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2006]: Sec. 7. ~~(a)~~ "Bona fide political
3 organization" means **a candidate's committee (as defined in**
4 **IC 3-5-2-7)**, a party committee, **an** association, **a** fund, or ~~other~~
5 **another** organization, whether incorporated or not, organized and
6 operated primarily for the purpose of directly or indirectly accepting
7 contributions or making expenditures, or both, for an exempt function
8 (as defined in Section 527 of the Internal Revenue Code).

9 ~~(b) The term does not include a candidate's committee (as defined~~
10 ~~in IC 3-5-2-7).~~

11 SECTION 2. IC 4-32-9-8.5 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 2006]: **Sec. 8.5. The commissioner may issue an annual raffle**
14 **license to a qualified organization upon the organization's**
15 **submission of an application and payment of a fee determined**
16 **under IC 4-32-11. The license must:**

17 **(1) authorize the qualified organization to conduct not more**

SB 100—LS 6351/DI 92+



1 **than five (5) raffle events in the calendar year in which the**
 2 **license is issued; and**

3 **(2) state the date, beginning and ending times, and location of**
 4 **each raffle event conducted by the qualified organization in**
 5 **the calendar year.**

6 SECTION 3. IC 4-32-9-21 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 21. **(a)** Except:

8 **(1)** where a qualified organization or its affiliate is having a
 9 convention or other annual meeting of its membership; **or**

10 **(2) as provided in subsection (c);**

11 a qualified organization may only conduct an allowable event in the
 12 county where the principal office of the qualified organization is
 13 located **as determined under subsection (b).**

14 **(b)** The principal office of a qualified organization shall be
 15 determined as follows:

16 **(1)** Except as provided in subdivision (3) or ~~subdivision~~ (4), if a
 17 qualified organization is a corporation, the principal office shall
 18 be determined by the street address of the corporation's registered
 19 office on file with the secretary of state.

20 **(2)** If a qualified organization is not a corporation, the principal
 21 office shall be determined by the street address of the
 22 organization on file with the Internal Revenue Service, the
 23 department, or county property tax assessment board of appeals
 24 for tax exempt purposes.

25 **(3)** If a qualified organization is affiliated with a parent
 26 organization that:

27 **(A)** is organized in Indiana; and

28 **(B)** has been in existence for at least five (5) years;

29 the principal office shall be determined by the principal place of
 30 business of the qualified organization.

31 **(4)** If a qualified organization is affiliated with a parent
 32 organization that:

33 **(A)** is a nationally recognized charitable organization;

34 **(B)** serves a majority of counties in Indiana; and

35 **(C)** has been in existence for at least twenty-five (25) years;

36 the principal office shall be deemed to be present in every county
 37 served by the organization.

38 **(c) A qualified organization that is a bona fide political**
 39 **organization may conduct an allowable event in any county.**

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SENATE MOTION

Madam President: I move that Senator Hershman be added as second author of Senate Bill 100.

JACKMAN

 COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred Senate Bill No. 100, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, after line 5, begin a new paragraph and insert:

"SECTION 3. IC 4-32-9-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 21. **(a)** Except:

(1) where a qualified organization or its affiliate is having a convention or other annual meeting of its membership; **or**

(2) as provided in subsection (c);

a qualified organization may only conduct an allowable event in the county where the principal office of the qualified organization is located **as determined under subsection (b).**

(b) The principal office of a qualified organization shall be determined as follows:

(1) Except as provided in subdivision (3) or ~~subdivision~~ (4), if a qualified organization is a corporation, the principal office shall be determined by the street address of the corporation's registered office on file with the secretary of state.

(2) If a qualified organization is not a corporation, the principal office shall be determined by the street address of the organization on file with the Internal Revenue Service, the department, or county property tax assessment board of appeals for tax exempt purposes.

(3) If a qualified organization is affiliated with a parent organization that:

(A) is organized in Indiana; and

(B) has been in existence for at least five (5) years;

the principal office shall be determined by the principal place of business of the qualified organization.

(4) If a qualified organization is affiliated with a parent

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organization that:

(A) is a nationally recognized charitable organization;

(B) serves a majority of counties in Indiana; and

(C) has been in existence for at least twenty-five (25) years;
the principal office shall be deemed to be present in every county
served by the organization.

**(c) A qualified organization that is a bona fide political
organization may conduct an allowable event in any county."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 100 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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